



National Aeronautics and
Space Administration

Principal Center for Regulatory Risk Analysis and Communication

Regulatory Tracking Summary

22 August 2008

This report summarizes regulatory items reviewed by the NASA RRAC PC. Items that appeared to have limited interest to the NASA community, or are provided for information only, are shown in light gray text. Notes and comments by the RRAC PC are shown in bold, blue text under "Description." Related documents and citations, such as "71 FR 51967," are linked to the appropriate document for quick access. Suggested follow-up actions are noted with significant items; users are advised that other follow-up actions may be appropriate for their program or facility.

Previous issues of this regulatory summary are archived on the RRAC PC website at <http://www.rracpc.org>. Comments, questions, suggestions, and requests for further information should be directed to the RRAC PC Lead, Sharon Scroggins at 256-544-7932 (sharon.scroggins@nasa.gov).

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Acronyms

AFB = Air Force Base	NOx = Nitrogen oxide
ANPRM = Advance Notice of Proposed Rulemaking	NPRM = Notice of Proposed Rulemaking
CAA = Clean Air Act	NRC = Nuclear Regulatory Commission
CAAWG = Clean Air Act Working Group	NSRL = No Significant Risk Level
CCAFS = Cape Canaveral Air Force Station	O ₃ = Ozone
CCAR = California Climate Action Registry	OAC = Ohio Administrative Code
CCR = <i>California Code of Regulations</i>	OEHHA = Office of Environmental Health Hazard Assessment
CFR = <i>Code of Federal Regulations</i>	OEPA = Ohio Environmental Protection Agency
CIC = Carcinogen Identification Committee	PFAC = Perfluoroalkyl carboxylate
CRNR = <i>California Regulatory Notice Register</i>	PFAS = Perfluoroalkyl sulfonate
DART = Developmental and Reproductive Toxicant	PM = Particulate matter
EA = Environmental Assessment	PPE = Personal protective equipment
EO = Executive Order	RIN = Regulatory Identification Number
EPA = U.S. Environmental Protection Agency	RRAC PC = Principal Center for Regulatory Risk Analysis and Communication
ERC = Emission Reduction Credit	SJRWMD = St. Johns River Water Management District
F.A.C. = Florida Administrative Code	SNUR = Significant New Use Rule
F.S. = Florida Statute	SOx = Sulfur oxide
FAW = <i>Florida Administrative Weekly</i>	TSCA = Toxic Substances Control Act
FDEP = Florida Department of Environmental Protection	U.S. = United States
FR = <i>Federal Register</i>	Va.R. = <i>Virginia Register</i>
FY = Fiscal year	VAC = Virginia Administrative Code
GHG = Greenhouse gases	VDEQ = Virginia Department of Environmental Quality
GSE = Ground support equipment	VDH = Virginia Department of Health
HCFC = Hydrochlorofluorocarbon	VOC = Volatile organic compound
LaRC = Langley Research Center	
LQG = Large-quantity generator	
NAAQS = National Ambient Air Quality Standards	
NASA = National Aeronautics and Space Administration	
NESHAP = National Emission Standards for Hazardous Air Pollutants	

1.0 U.S. Federal Regulatory Review

1.1 Federal Register Summary

This summary includes FR items that were reviewed for potential impacts to NASA Centers and Programs.

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed082208-1	Bald and Golden Eagle Protection Act Permits	08/14/2008	73 FR 47574	Proposed Rule	U.S. Fish and Wildlife Service Eagle Permits; Take Necessary to Protect Interests in a Particular Locality [50 CFR Part 22] Announces the availability of a draft EA evaluating options for managing the take of bald eagles and golden eagles under the Bald and Golden Eagle Protection Act. Solicits current data regarding the populations of both eagle species. Seeks input regarding criteria to be used in quantifying takes that occur at important eagle-use areas, such as foraging areas, communal roost sites, or other concentration areas. Revises proposed rule to establish two new permits and two additional alternatives. More information, including the draft EA, can be found on the Division of Migratory Bird Management website . Comments due 09/15/2008 [RIN 1018-AV81].	
Fed082208-2	CAA NAAQS-NOx and SOx	08/12/2008	73 FR 46908	Notice	Draft Integrated Science Assessment for Oxides of Nitrogen and Sulfur-Environmental Criteria; Second External Review Draft Announces the availability of the second external review draft of a document titled, " Integrated Science Assessment for Oxides of Nitrogen and Sulfur-Environmental Criteria; Second External Review Draft ." Document prepared as part of the joint review of the secondary or welfare-based NAAQS for oxides of nitrogen and sulfur. Comments due 10/01/2008.	
Fed082208-3	Climate Change	08/11/2008	73 FR 46596	Notice	U.S. Climate Change Science Program Synthesis and Assessment Product Draft Report 1.2, "Past Climate Variability and Change in the Arctic and at High Latitudes" Announces public comment period for the draft report titled, U.S. Climate Change Science Program Synthesis and Assessment Product 1.2 " Past Climate Variability and Change in the Arctic and at High Latitudes ." Comments due 09/25/2008 [RIN 0648-XJ57].	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed082208-4	Coast Guard Safety Zones Space Launches from Cape Canaveral Air Force Station	08/18/2008	73 FR 48162	Notice	Coast Guard Safety Zone; Captain of the Port Zone Jacksonville; Offshore Cape Canaveral, FL [33 CFR Part 165] Notice of proposed rulemaking that would establish four safety zones to protect infrastructure and marine traffic from the hazards associated with recurring space vehicle launches from CCAFS. Currently, the Coast Guard activates and enforces a security zone for each launch from CCAFS. The offshore portion of this security zone extends 3 miles from the baseline. However, to ensure the safety of all maritime interests, CCAFS has requested that an additional safety buffer be added to an extent reaching 12 nautical miles offshore. The proposed rules would define additional safety zones to be enforced in conjunction with the security zone. The proposed rules would expedite public notice of launches and reduce the administrative workload of the Coast Guard. Comments due 10/17/2008 [RIN 1625-AA00].	
Fed082208-5	Endangered Species Act Interagency Cooperation	08/15/2008	73 FR 47868	Proposed Rule	U.S. Fish and Wildlife Service and National Marine Fisheries Service Interagency Cooperation Under the Endangered Species Act [50 CFR Part 402] Proposes to amend regulations governing interagency cooperation under the Endangered Species Act. Proposed revisions are intended to clarify several definitions, to clarify when the Section 7 regulations are applicable and the correct standards for effects analysis, and to establish time frames for the informal consultation process. Comments due 09/15/2008 [RIN 1018-AT50].	
Fed082208-6	Environmental Modeling	08/13/2008	73 FR 47162	Notice	Guidance on the Development, Evaluation, and Application of Environmental Models Announces public comment period for an external review of the Guidance Document on the Development, Evaluation, and Application of Regulatory Environmental Models. The document provides recommendations on the principles of good modeling practice, stressing the importance of model quality, documentation, and transparency with the aim of helping to determine when and how a model can be used to inform a decision. The revised document builds on the recommendations of the Science Advisory Board review panel and the National Research Council report on Models in Environmental Regulatory Decision Making. The document is available on the Council for Regulatory Environmental Modeling website . Comments due 09/12/2008.	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed082208-7	NASA Lunar Lander Challenge	08/18/2008	73 FR 48244	Notice	National Aeronautics and Space Administration Notice of Centennial Challenges Lunar Lander Challenge Announces that the Lunar Lander Challenge is now scheduled. The NASA Centennial Challenges Program is a program of prize contests to stimulate innovation and competition in space exploration and ongoing NASA mission areas. The Lunar Lander Challenge is a prize contest designed to accelerate technology developments supporting the commercial creation of a vehicle capable of ferrying cargo or humans back and forth between lunar orbit and the lunar surface. The Lunar Lander Challenge is being administered for NASA by the X PRIZE Foundation . The 2008 contest will be held 10/24 and 10/25/2008 at Holloman AFB.	
Fed082208-8	Safety Employer Liability	08/19/2008	73 FR 48335	Proposed Rule	Occupational Safety and Health Administration Clarification of Remedy for Violation of Requirements to Provide Personal Protective Equipment and Train Employees [29 CFR Parts 1910, 1915, 1917, 1918, and 1926] Proposes to amend regulations to clarify that noncompliance with PPE and training requirements may expose the employer to liability on a per-employee basis. The amendments add no new compliance or training obligations. Comments due 09/18/2008 [RIN 1218-AC42].	
Fed082208-9	TSCA Lead-based Paint Activities	08/21/2008	73 FR 49378	Proposed Rule	Lead; Fees for Accreditation of Training Programs and Certification of Lead-based Paint Activities and Renovation Contractors [40 CFR Part 745] Proposes to revise the existing fees for EPA's Lead-based Paint Activities regulations and to establish fees for the Renovation, Repair, and Painting rule. Would establish the fees that will be charged for training programs seeking accreditation, for firms engaged in renovations seeking certification, and for individuals or firms engaged in lead-based paint activities seeking certification. Comments due 09/22/2008 [RIN 2070-AJ40].	

1.2 Status of Continuing Actions in Progress

This section provides the status of selected actions the RRAC PC currently is tracking for possible program-related impacts. Questions about any of these actions or suggestions for additions to this list should be directed to Sharon Scroggins.

Significant Dates <i>italic = tentative</i>		Subject Action [RIN]	Type of Action	Comments
NPRM	<i>10/2008</i>	NESHAP: Defense Land Systems and Miscellaneous Equipment [2060-AM84]	Pre-rule	Possible impact to Ground Operations.
Final Action	<i>10/2009</i>			Will cover surface cleaning, preparation, coating, and stripping operations on non-flight hardware at some NASA facilities. Could affect launch pads and GSE.
NPRM	<i>07/2008</i>	NESHAP: Risk and Technology Review, Phase II Group 2A [2060-AO91]	Pre-rule	Possible space vehicle materials or supply chain impacts.
Final Action	<i>01/2009</i>			Evaluation of residual risk remaining after implementation of NESHAP regulations. Could impose further restrictions on several types of sources. Includes the manufacture of various types of elastomers, such as Hypalon.

Significant Dates <i>italic = tentative</i>		Subject Action [RIN]	Type of Action	Comments
NPRM	<i>06/2008</i>	NESHAP: Risk and Technology Review, Phase II Group 2B [2060-AO92]	Pre-rule	Possible space vehicle materials or operations impacts.
Final Action	<i>01/2009</i>			Evaluation of residual risk remaining after implementation of NESHAP regulations. Could impose further restrictions on operations subject to the Aerospace NESHAP, including coating, stripping, and cleaning of space flight hardware.
NPRM	<i>11/2008</i>	HCFC Labeling [2060-AO68]	Pre-rule	Administrative requirement for certain space vehicle materials.
Final Action	<i>TBD</i>			Would require containers of materials containing HCFCs to bear warning statements.
ANPRM	07/30/2008 73 FR 44353	Regulation of Greenhouse Gases under the CAA [2060-AP12]	Pre-Rule	Potential for program impacts unknown at this time. Solicits input regarding the regulation of GHGs under the CAA.
NPRM	07/14/2008 73 FR 40230	Control Techniques Guidelines for Coating Operations [2060-AP01]	Proposed Rule	Possible space vehicle materials or supply chain impacts.
Comments Due	08/13/2008			Proposes to set guidelines for states to use in establishing VOC limits in ozone non-attainment areas for the following five product categories: <ul style="list-style-type: none"> ▪ Miscellaneous metal products coatings ▪ Plastic parts coatings ▪ Auto and light-duty truck assembly coatings ▪ Fiberglass boat manufacturing materials ▪ Miscellaneous industrial adhesives Could affect material formulations.
Final Action	<i>10/2008</i>			
NPRM	<i>07/2008</i>	National VOC Rule for Industrial Adhesives and Sealants [2060-AP02]	Pre-Rule	Possible space vehicle materials or supply chain impacts.
Final Action	<i>10/2008</i>			Will establish VOC limits for certain types of adhesives and sealants; could affect material formulations. Note: this rule may have been merged with the Control Techniques Guidelines activity above.
NPRM	<i>05/2008</i>	Area Source NESHAP for Miscellaneous Chemical Manufacturing [2060-AM19]	Pre-Rule	Possible space vehicle materials or supply chain impacts.
Final Action	<i>01/2009</i>			Will impose requirements on area sources that manufacture chemicals; could drive reformulations to avoid regulatory requirements.
NPRM	01/03/2007 72 FR 69	NESHAP General Provisions—Once In, Always In [2060-AM75]	Proposed Rule	Possible impacts to facilities, including space flight support facilities.
Final Action	<i>05/2009</i>			Could have an effect on how NESHAPs affect certain NASA Centers and vendor facilities.
NPRM	03/07/2006 71 FR 11483	SNUR: Perfluorinated Polymers [2070-AD58]	Proposed Rule	Possible space vehicle materials impacts.
Final Action	<i>10/2008</i>			Rule could limit new U.S. production of any new materials or significant uses of perfluorinated polymers including those containing PFASs; PFACs; fluorotelomers; or perfluoroalkyl moieties that are covalently bound to a carbon or a sulfur atom where the carbon or sulfur atom is an integral part of the polymer molecule.

1.3 Significant News and Other Developments

1.3.1 EPA Collaborates with States on the PM2.5 NAAQS

EPA has identified counties nationwide that are not meeting national standards for fine particle pollution (PM2.5). EPA requested recommendations from state and tribal representatives on which counties in each state are not meeting the national standards. EPA took the states' recommendations into consideration and issued letters on 19 August 2008 outlining the counties it is considering designating as nonattainment areas for the 24-hour PM2.5 NAAQS standards. Nonattainment areas are those counties or portions of counties with monitors violating the 24-hour PM2.5 NAAQS standard and nearby counties that may contribute to that violation. In September 2006, EPA strengthened the fine particle standards to protect public health by lowering the 24-hour standard from 65 to 35 micrograms per cubic meter.

EPA will accept public comments for 30 days after a notice is published in the FR. EPA will make formal designations of attainment and nonattainment areas by 18 December 2008.

Recommendations from states and tribes, along with EPA's responses and instructions for submitting comments, are available at [EPA's website](#).

1.4 Clean Air Act Working Group Updates

1.4.1 Clean Air Act Working Group Telecons for 2008

The CAAWG will hold telecons on 15 October and 19 November 2008 at 2 p.m. ET, 1 p.m. CT, 12 p.m. MT, and 11 a.m. PT.

The CAAWG also will have a face-to-face meeting at the NASA Biennial Environmental Conference on 22 through 25 September 2008 at LaRC. Additional information is available at the conference [website](#).

Please send questions, comments, and suggestions for agenda topics to Sharon Scroggins (256-544-7932, sharon.scroggins@nasa.gov).

2.0 State Regulatory Reviews

The following sections provide details of the regulatory actions reviewed for selected states in which NASA facilities and related operations are located.

2.1 Alabama State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Alabama.

2.2 California State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in California. Citations of the [CRNR](#) are linked to the appropriate volume of the Register, which is published in Adobe Acrobat (.pdf) file format.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA082208-1	Air Vapor Recovery Equipment	08/15/2008	CRNR 2008, 33z, p. 1457	Notice Final Rule	Air Resources Board Vapor Recovery Equipment Defects List [17 CCR 94006] Updates the list of defects in gasoline filling station vapor recovery equipment. Effective 09/05/2008.	
CA082208-2	Endangered Species	08/14/2008	73 FR 47705	Notice Final Rule	U.S. Department of the Interior Fish and Wildlife Service Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for <i>Poa atropurpurea</i> (San Bernardino bluegrass) and <i>Taraxacum californicum</i> (California taraxacum) [50 CFR Part 17] Designation of critical habitat for <i>Poa atropurpurea</i> and <i>Taraxacum californicum</i> is within San Bernardino and San Diego counties, California. Effective 09/15/2008.	
CA082208-3	Hazardous Waste	08/15/2008	CRNR 2008, 33z, p. 1457	Notice Final Rule	Board of Equalization Generator of Hazardous Waste [18 CCR 3000] Change without regulatory effect correcting an erroneous internal cross-reference citation. Effective 08/05/2008.	
CA082208-4	Oil Spill	08/15/2008	CRNR 2008, 33z, p. 1459	Notice Final Rule	Office of Spill Prevention and Response Contingency Plans [14 CCR 815.05, 818.02, 825.05, and 827.02] Amends definitions and ship's identifying information that must be included in contingency plans. Effective 09/05/2008.	
CA082208-5	Proposition 65 Caffeine	08/15/2008	CRNR 2008, 33z, p. 1444	Notice Extension of Public Comment Period	Office of Environmental Health Hazard Assessment Request for Relevant Information on Chemical to be Considered by the OEHHA Science Advisory Board's Developmental and Reproductive Toxicant (DART) Identification Committee Comments due 10/28/2008.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA082208-6	Proposition 65 2,4,6-trinitrotoluene	08/15/2008	CRNR 2008, 33z, p. 1443	Notice Availability of Hazard Identification Materials Request for Comments	Office of Environmental Health Hazard Assessment Availability of Hazard Identification Materials for 2,4,6-Trinitrotoluene Announces the availability of " Evidence on the Carcinogenicity of 2,4,6-trinitrotoluene ". Comments due 10/14/2008. 2,4,6-Trinitrotoluene will be considered by the CIC at the 11/05/2008 meeting at Sacramento City Hall, California.	
CA082208-7	No Significant Risk	08/22/2008	CRNR 2008, 34z, p. 1495	Notice	Office of Environmental Health Hazard Assessment Specific Regulatory Levels Posing No Significant Risk — Adoption of NSRL for C. I. Direct Blue 218 [27 CCR 25705(b)] Sets the regulatory level posing no significant risk of C. I. Direct Blue at 50 micrograms per day. Effective 09/07/2008.	

2.2.1 Additional Information

The [California Climate Action Registry](#) (CCAR) has been actively developing new [protocols](#) and improving on current ones. Draft protocols are available for comments, as follows:

Protocol Topic:

Written Public Comment Due Date:

[Livestock Project Protocols](#)

07/25/08

[Urban Forest Project Protocol](#)

08/04/08

A recently passed protocol is the [Local Government Operations Protocol](#).

2.3 Florida State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Florida.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL082208-1	Air Permits	08/22/2008	FAW Notice #5898684	Notice of Change	Chapter 62–FDEP 213–Operation Permits for Major Sources of Air Pollution Changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in FAW Notice #5625241 . These changes are being made in response to written comments received from the Joint Administrative Procedures Committee. The changes to the form being adopted by reference at subsection 62-213.900(1), F.A.C., fix an error in the division title, clarify that the form implements the fee requirements of Section 403.0872(11) of the F.S., and eliminates verbatim statutory language from that section.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL082208-2	Air Stationary Sources	08/22/2008	FAW Notice #5913331	Notice of Change	Chapter 62–FDEP 210–Stationary Sources–General Requirements Changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in FAW Notice #5621749 . These changes are being made in response to written comments received from the Joint Administrative Procedures Committee. The changes include clarification of language in the printing operation exemption in Rule 62-210.300 and the Air General Permit for Facilities Comprising Printing Operations section in Rule 62-210.310.	
FL082208-3	Asbestos	08/22/2008	FAW Notice #5907705	Notice of Change	Chapter 62–FDEP 257–Asbestos Program Changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in FAW Notice #5626308 . These changes are being made in response to written comments received from the Joint Administrative Procedures Committee. The changes to the form being adopted by reference at subsection 62-257.900(1), F.A.C., eliminate the language on the form and clarify instructions concerning prior approval for dry method removal.	
FL082208-4	Energy and Climate Change	08/22/2008	FAW Notice #6017897	Notice Meeting	Chapter 62–Governor’s Action Team on Energy and Climate Change Announces a meeting of the Agriculture, Forestry, and Waste Technical Working Group of the Governor’s Action Team on Energy and Climate Change and the development of a comprehensive Energy and Climate Change Action Plan to address statewide GHG reductions specified in EO 07-127. The meeting will be held 09/09/2008 via teleconference at the call-in number listed in the FAW Notice .	
FL082208-5	Environmental Regulation Commission	08/15/2008	FAW Notice #5944080	Notice Meeting	Chapter 62–Environmental Regulation Commission Announces a regularly scheduled meeting for the purpose of rule adoptions and briefings. The meeting will be held on 08/28/2008 at FDEP, Tallahassee, Florida.	
FL082208-6	Hazardous Waste	08/15/2008	FAW Notice #6001698	Notice Correction	Chapter 62–FDEP 730–Hazardous Waste The name of the agency head who approved the proposed rule found in FAW Notice #5857847 and the contact information regarding the notice have been corrected.	
FL082208-7	Oceans and Coastal Council	08/22/2008	FAW Notice #6010137	Notice Meeting	Chapter 62–Florida Oceans and Coastal Council Announces a meeting to further its duties under the Oceans and Coastal Resources Act. The meeting will be held 09/05/2008 via conference call.	
FL082208-8	Water Monitoring	08/15/2008	FAW Notice #5988603	Notice Meeting Change	Chapter 62–Florida Water Resources Monitoring Council Announces a reconciliation meeting to review the draft metadata standard for the Aerial Remote Sensing, Oceans Observing, Laboratory Analytical, Geospatial, Common, Groundwater, Biological Measurement and Field Sampling scientific disciplines. Meetings will be held 08/26 and 08/27/2008 at FDEP, Tallahassee, Florida. This meeting previously was noticed in FAW Notice #5944565 . Changes have been made to the meeting locations.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL082208-9	Water Surface Water Quality Standards	08/22/2008	FAW Notice #6019061	Notice Workshop	Chapter 62–Surface Water Quality Standards Proposes a workshop to present background information and to receive public comments on proposed revisions to Chapters 62-302 and 62-303, F.A.C., published in FAW Notices #5817010 and #5816913 , regarding the establishment of biological health criteria as part of the current Triennial Review of state surface water quality standards. This workshop will focus solely on proposed rule revisions related to biological health criteria. The workshop will be held on 09/11/2008 at FDEP, Tallahassee, Florida.	
FL082208-10	Water SJRWMD	08/15/2008	FAW Notice #5992483	Notice Workshop	Chapter 40C–SJRWMD 4–Environmental Resource Permits: Surface Water Management Systems Announces a workshop to discuss proposed amendments to the drainage basin and regional watershed figures (Figure 12.2.8-1 and Appendix M) in the Applicant's Handbook: Management and Storage of Surface Waters posted in FAW Notice #5871621 . FDEP will receive comments on possible revisions to the currently proposed basin and watershed boundary amendments, including Brevard County.	
FL082208-11	Water SJRWMD	08/22/2008	FAW Notice #6019255	Notice Meeting	Chapter 40C–SJRWMD Announces a public meeting to discuss regulatory and non-regulatory matters, scheduled for 09/09/2008 at SJRWMD Headquarters, Palatka, Florida.	
FL082208-12	Water SJRWMD	08/22/2008	FAW Notice #6025075	Notice Meeting	Chapter 40C–SJRWMD Announces a business meeting of the Projects and Land Committee on 09/05/2008 at Flagler County Government Service Complex, Bunnell, Florida.	
FL082208-13	Water SJRWMD Millage Rate and Budget	08/22/2008	FAW Notice #6020322	Notice Meeting	Chapter 40C–SJRWMD Announces a meeting to present the FY 2008-2009 tentative millage rate and tentative budget and to receive public comments, scheduled for 09/09/2008 at SJRWMD Headquarters, Palatka, Florida.	
FL082208-14	Water SJRWMD Organization	07/23/2008	FAW Notice #5955235 and #5955138	Final Rule	Chapter 40C–SJRWMD 1–Organization and Procedure Amends the sections of Chapter 40C-1, F.A.C., that address operation of the Governing Board. Effective 08/12/2008.	

2.4 Hawaii State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Hawaii.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
HI082208-1	Endangered and Threatened Wildlife and Plants	08/12/2008	73 FR 46860	Proposed Rule	Revised proposed designation of critical habitat for 12 species of picture-wing flies from the Hawaiian Islands The U.S. Fish and Wildlife Service announces the reopening of the public comment period on the revised proposed designations of the critical habitat for the 12 species of Hawaiian Picture-wing flies. In addition to the proposed rule, a draft economic analysis and amended required determinations section of the proposal are available for public comment. Public comments will be accepted received or postmarked on or before 09/11/2008. Comments can be submitted via http://www.regulations.gov or through U.S. Postal Service to the Division of Policy and Directives Management, 4401N Fairfax Drive, Suite 222, Arlington, Virginia 22203.	No action is required.

2.5 Louisiana State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Louisiana.

2.6 Maryland State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Maryland.

2.7 Mississippi State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Mississippi.

2.8 New Mexico State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of New Mexico.

2.9 Ohio State Regulatory Review

This summary includes items that were reviewed for potential impact to NASA Centers and Programs in Ohio.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH082208-1	Air Emission Offsets	08/14/2008	Public Notice	Proposed Rule	<p>Division of Air Pollution Control, OEPA</p> <p>Proposed Rules in OAC Chapter 3745-111, Emission Reduction Credit (ERC) Trade and Banking Program [OAC Chapter 3745-111].</p> <p>OEPA has proposed new rules in OAC Chapter 3745-111, "ERC Trade and Banking Program," which would establish a voluntary ERC banking program for the purpose of emission offsets. The ERC banking program will provide for a more efficient way to generate, transfer, and use ERCs in nonattainment areas in the State of Ohio. Comments due 09/23/2008.</p>	NASA Facilities in Ohio should consider reviewing for applicability.
OH082208-2	Air Emission Standards	08/15/2008	Public Notice	Final Rule	<p>Division of Air Pollution Control, OEPA</p> <p>Final Adopted Rules in OAC Chapter 3745-21, Carbon Monoxide, Photochemically Reactive Materials, Hydrocarbons, and Related Materials Standards [OAC Chapter 3745-21].</p> <p>Adopts rules in OAC Chapter 3745-21 related to the control of emissions of carbon monoxide, photochemically reactive materials, hydrocarbons, and related materials, that are intended to assist the State of Ohio in achieving and/or maintaining the national 8-hour ground level ozone standard through the regulation of VOC emissions from stationary sources. These rules have had their applicability extended to include the Cleveland and Akron, Ohio, non-attainment area to aid in the reduction of ozone formation. Effective 08/25/2008.</p>	NASA Facilities in Ohio should be aware of the new rules

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH082208-3	Waste Hazardous Waste	07/2008	LOG Tank System Guidance Document	Published Guidance Document	Division of Hazardous Waste Management, OEPA Published Guidance Document for Large-quantity Generator Tank Systems The document was developed to provide guidance to large-quantity hazardous waste generators (LOGs) on the requirements for properly managing wastes in tanks. OAC Rule 3745-52-34 requires LOGs who treat or store hazardous waste in tanks to comply with the applicable standards in OAC Rules 3745-66-90 through 3745-66-100. The entire tank system (the tank plus the associated ancillary equipment and containment system), as defined in OAC Rule 3745-50-10(115), is regulated under these rules.	
OH082208-4	Water Water Quality Standards	08/15/2008	Notice Letter	Draft Rules	Division of Surface Water, OEPA Draft Amendments to OAC 3745-1, Water Quality Standards [OAC 3745-1] Proposes revisions focusing on defining beneficial use designations and updating water quality criteria protective of those use designations. The proposed changes include new beneficial use designations for aquatic life, recreation, agricultural drainage and navigation. The draft rule changes also include the incorporation of the national methods for calculating water quality criteria for the protection of human health, new human health criteria for approximately 135 chemicals, statewide application of criteria based on maximum contaminant levels, revised criteria for bacteria, and new and revised aquatic life criteria for seven chemicals. Comments due 09/30/2008.	NASA Facilities in Ohio should be aware of the draft amendments

2.10 Texas State Regulatory Reviews

No regulatory items of interest were identified during this reporting period for the state of Texas

2.11 Utah State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Utah.

2.12 Virginia State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Virginia. Citations of the [Virginia Register](#) (Va.R.) are linked to the appropriate volume of the Register, which is published in Adobe Acrobat (.pdf) file format.

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
VA082208-1	Environmental Laboratories	08/18/2008	24:25 Va.R 3449	Final Rule	Department of General Services 1 VAC 30-45, 1VAC30-46 The amended regulations establish a certification program for noncommercial and commercial environmental laboratories submitting data to the VDEQ. Effective 10/01/2008.	NASA Facilities in Virginia should be aware of the final rule

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
VA082208-2	Radiation	08/18/2008	24:25 Va.R 3610	Proposed Rule	Virginia Department of Health (VDH) 12VAC5-481 The VDH is amending the Radiation Protection Regulations to ensure continuity with the NRC regulations. Comments due 09/17/2008. Effective 10/03/2008.	
VA082208-3	Water Surface Water	08/06/2008	VDEQ Public Notice	Public Notice	Virginia Department of Environmental Quality The VDEQ is seeking public comment on the annual review report for State Program General Permit 07-SPGP-01 for the discharge of dredged or fill material in non-tidal waters. Comments due 09/05/2008.	